

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of

Petition to Confirm a Consumer's Right to Use  
Internet Communications Software and Attach  
Devices to Wireless Networks

RM-11361

**ORDER**

RECEIVED  
APR - 4 2007  
FEDERAL COMMUNICATIONS COMMISSION

Adopted: March 14, 2007

Released: March 15, 2007

Comment Date: April 30, 2007

Reply Comment Date: May 15, 2007

By the Chief, Wireless Telecommunications Bureau:

1. On February 20, 2007, Skype Communications S.A.R.L. (Skype) filed a petition with the Commission that seeks a declaratory ruling that the Commission's *Carterphone* principle applies to wireless networks, and asks the Commission to commence a rulemaking proceeding to evaluate wireless carrier practices in light of *Carterphone*, and to create an industry-led mechanism "to ensure the openness of wireless networks." On February 28, 2007, the Commission established a pleading cycle for the petition, with comments due by March 30, 2007, and replies due within 15 days of the filing of comments?

2. On March 8, 2007, the Commission received two motions for an extension of time to file comments and replies, including a joint motion by CTIA-The Wireless Association (CTIA) and Skype, and a motion by the Telecommunications Industry Association (TIA).<sup>3</sup> Both motions ask for a 30-day extension of the comment period to April 30, 2007, and a 15-day period after that for replies.<sup>4</sup> Skype, CTIA, and TIA emphasize the importance of the issues raised to the future of the wireless communications, software, and mobile device markets, and TIA adds that the issues raised in the petition could have a significant impact on the information, communications, and entertainment technology

<sup>1</sup> See Petition of Skype Communications S.A.R.L. to Confirm a Consumer's Right to Use Internet Communications Software and Attach Devices to Wireless Networks, RM-11361, filed Feb. 20, 2007 (Skype Petition).

See also, e.g., "Consumer & Public Affairs Bureau Reference Information Center Petition For Rulemakings Filed," Report No. 2807 (CGB rel. Feb. 28, 2007); 47 C.F.R. § 1.405.

<sup>3</sup> See Joint Motion by CTIA-The Wireless Association and Skype to Confirm a Consumer's Right to Use Internet Communications Software and Attach Devices to Wireless Networks, RM-11361, filed March 8, 2007 (Joint Motion); Motion by Telecommunications Industry Association for Extension of Time, RM-11361, filed March 8, 2007 (TIA Motion).

<sup>4</sup> See Joint Motion; TIA Motion.

industry as a whole.' All ask for additional time so that they may more fully review and assess the issues, conduct the necessary research, and prepare accurate and complete submissions.<sup>6</sup>

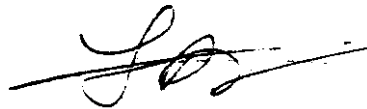
3. It is the policy of the Commission that extensions of time are not routinely granted.' Such extensions may be warranted when: among other things, the additional time will serve the public interest. In the instant proceeding, we note that the parties requesting this extension include both the petitioner and representatives of wireless service and technology industries. Given that they are in agreement that the additional time would be beneficial to the development of a complete record on the issues, we find that providing the extension requested in the motions serves the public interest.

4. Accordingly: IT IS ORDERED that, pursuant to authority found in section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.131, 0.331 and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331, 1.46, the Joint Motion by CTIA-The Wireless Association and Skype Communications S.A.R.L. for Extension of Time IS GRANTED.

5. IT IS FURTHER ORDERED that the Motion by the Telecommunications Industry Association for Extension of Time IS GRANTED.

6. IT IS FURTHER ORDERED that comments in this proceeding shall be due by April 30, 2007, and reply comments shall be due by May 15, 2007.

FEDERAL COMMUNICATIONS COMMISSION



Fred B. Campbell, Jr.  
Chief  
Wireless Telecommunications Bureau

---

<sup>6</sup> See Joint Motion at 1-2; TIA Motion at 1

<sup>7</sup> joint Motion at 2; TIA Motion at 1-2.

See 47 C.F.R. § 1.46(a)